

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re: PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO, *et* (Jointly Administered)
al.,

Debtors.¹
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In re: PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of No. 17 BK 3284-LTS

PUERTO RICO SALES TAX FINANCING
CORPORATION, **This Order Relates Only to**
COFINA and Shall be Filed in
Case No. 17 BK 3283-LTS and
Debtor. in Case No. 17 BK 3284-LTS
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ORDER APPROVING MOTION OF PUERTO RICO SALES TAX FINANCING CORPORATION, PURSUANT TO BANKRUPTCY CODE SECTION 365(a), FOR ENTRY OF AN ORDER AUTHORIZING REJECTION OF THE DEBT SERVICE DEPOSIT AGREEMENT WITH LEHMAN BROTHERS SPECIAL FINANCING INC.

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747).

Upon the *Motion of Puerto Rico Sales Tax Financing Corporation, Pursuant to Bankruptcy Code Section 365(a), for Entry of an Order Authorizing Rejection of the Debt Service Deposit Agreement with Lehman Brothers Special Financing Inc.* (Docket Entry No. 372 in Case No. 17-bk-3484, the “Motion”);² and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue is proper pursuant to PROMESA section 307(a); and the Court having found that the relief requested in the Motion is a proper exercise of the COFINA’s business judgment, it is **HEREBY ORDERED THAT:**

1. The Motion is granted as set forth herein.
2. The DSDA shall be rejected effective as of the date of this Order.
3. Nothing in this Order shall affect the right of any counterparty to the DSDA to file claims for rejection damages, if applicable, and COFINA shall retain all rights to object to any such claims, as appropriate.
4. Pursuant to this Court’s *Order (A) Establishing Deadlines and Procedures for Filing Proofs of Claim and (B) Approving Form and Manner of Notice Thereof* [ECF No. 2521], any holder of a claim arising from the rejection of the DSDA must file a proof of claim based on such rejection on or before **4:00 p.m. (Atlantic Standard Time)** on the first business day that is thirty-five (35) calendar days after the entry of this Order.
5. Nothing in this Order shall constitute any waiver of any claims or defenses by COFINA that it has or may have against of the counterparties to the DSDA.

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion.

6. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

8. This Order resolves Docket Entry No. 4374 in Case No. 17-3283 and Docket Entry No. 372 in Case No. 17-3284.

SO ORDERED.

Dated: December 19, 2018

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge